

Appl. No. 10/021,523
Paper dated September 18, 2006
Reply to Office Action dated May 17, 2006

Amendments to the Drawings:

The attached 6 sheet(s) of drawings reflect changes to Figure(s) 14-18 and replace the original sheet(s) of these Figure(s).

Attachments: 3 Replacement Sheet(s)
 3 Annotated Sheet(s) Showing Changes

REMARKS

Reconsideration of the above-identified application in view of the foregoing amendments and following remarks is respectfully requested.

A. Formal Matters

By this paper the title is amended. This amendment is believed to resolve the objections of the May 5, 2006 Office Action at p. 2. Withdrawal of this objection is requested. Applicant notes that the title has been amended to enable the United States Patent and Trademark Office and the public generally to determine quickly from a cursory inspection the nature and gist of the technical disclosure and to aid indexing, classifying and searching. 37 C.F.R. § 1.72(b); MPEP § 606.01. This amendment is *not* intended to narrow, limit, alter or otherwise characterize what Applicant regards as the invention. It is, of course, the claims and not title that defines the invention being claimed.

By this paper drawings 14-18 are also amended. The legend "prior art" is added to Figures 14 - 18 as requested by the examiner. Withdrawal of the objections to the drawings set forth on page 1 of the office action is respectfully requested.

B. Status of the Claims and Explanation of Amendments

Claims 1-8 are currently pending. The Office Action has rejected claims 1-8 under 35 U.S.C. § 102(e) as allegedly being anticipated by Saito (U.S. Patent No. 6,523,696). By this paper, claims 1-8 are amended. No new matter will be added to this application by entry of these amendments. Entry is respectfully requested.

Applicants have amended claims 1-8 to rewrite them in non means-plus function format. Applicants have also amended independent claims 1 and 5 to recite a "communication

unit” instead of a “sending means.” Support for this amendment is found throughout the application as originally filed, including for example at p10, lines 8-11.

With respect to claim 1, the Office Action alleges that Saito teaches a “sending means for sending operation information representing a shifting history of a cursor displayed on said control panel to said controlled device.” [5/17/06 Office Action, p. 3]. Applicants respectfully submit that Saito does not teach, disclose, or suggest any shifting history of a cursor, and the office action certainly not identify such teaching within Saito.

Rather, Saito discloses a remote controlling device that operates in the same manner as conventional remote control systems discussed in Applicants’ specification. (See, e.g., Specification, p. 3, line 4 – p. 6, line 26). As noted in the Applicants’ specification, the conventional remote controls can result in complicated operations, especially as the functions of the controlled devices are highly progressed. (See, e.g., Specification, p. 3, line 16 - line 25).

In Saito, as the Office Action states, “the user has the ability to select the any of the options available (Fig. 31, i201-i210), when selected by way of clicking on the buttons i201-i210 a corresponding command to the user’s clicking is sent to the DVD player or VTR player.” There is no discussion in the Office Action, or in Saito, of any shifting history. Rather, Saito apparently discloses a remote control that performs just like conventional remote controls. Accordingly, Saito does not disclose all of the claim limitations from claim 1, and claim 1 should be in allowable form.

Similarly, since claims 2-4 depend on claim 1, these claims should also be in allowable form.

With respect to claim 5, the Office Action alleges that Saito teaches a “receiving means for receiving operation information representing a shifting history of a cursor displayed

on said control panel.” [5/17/06 Office Action, p. 4]. As discussed above, we do not believe that Saito teaches, discloses, or suggests any shifting history of a cursor, nor does the Office Action identify any such teaching.

Accordingly, for the reasons stated above, we believe that claim 5 should also be in allowable form. Similarly, since claims 6, 7, and 8 depend on claim 5, these claims should also be in allowable form.

Applicants have chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These statements should not be regarded in any way as an admission that the cited documents are, in fact, prior art. Likewise, applicants have not specifically addressed the rejections of the dependent claims. Applicants respectfully submit that the independent claims, from which they depend, are in condition for allowance as set forth above. Accordingly, the dependent claims are also in condition for allowance. Applicants, however, reserve the right to address such rejection of the dependent claims in the future as appropriate.

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CONCLUSION

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested.

While no fees or extension of time are believed necessary for this Amendment, should an extension of time be required for the timely submission of this paper, such extension is hereby petitioned, and the Commissioner is hereby authorized to charge any additional fees which may be required for this Amendment, or credit any overpayment, to Deposit Account No. 13-4500, Order No. 1232-4798.

In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1232-4798.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

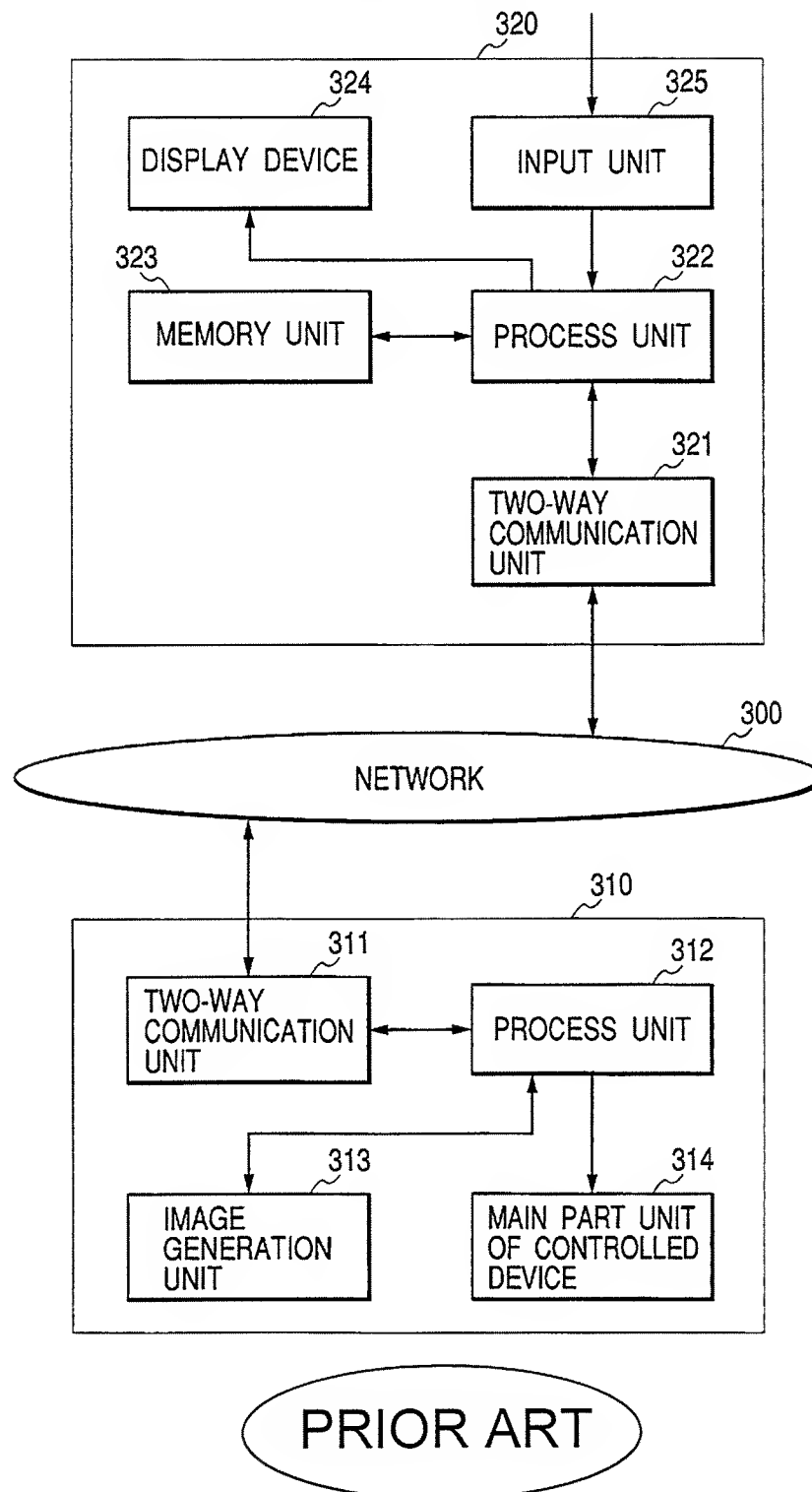
Dated: September 18, 2006

By: Scott Bittman
Scott Bittman
Registration No. 55,007

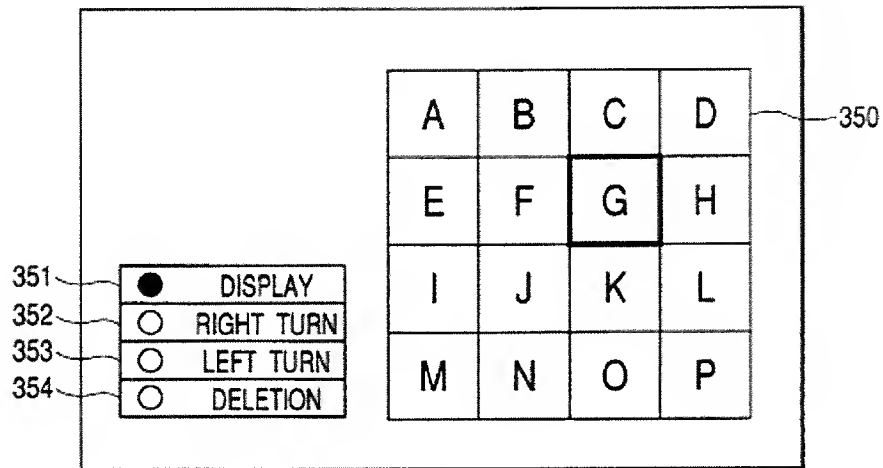
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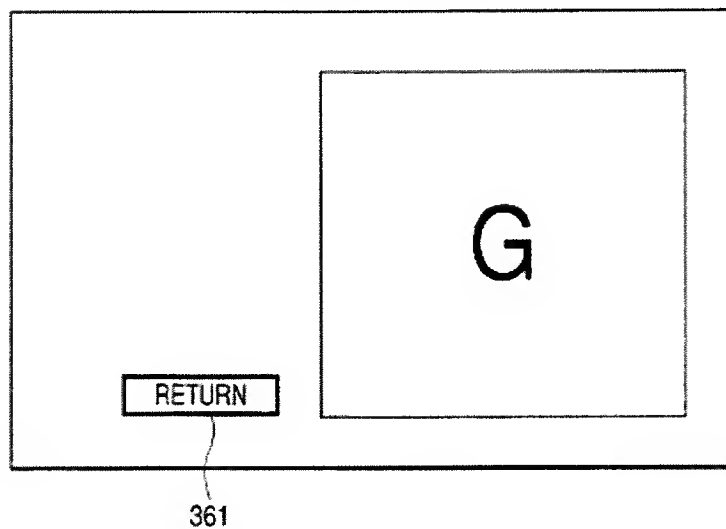
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FIG. 14

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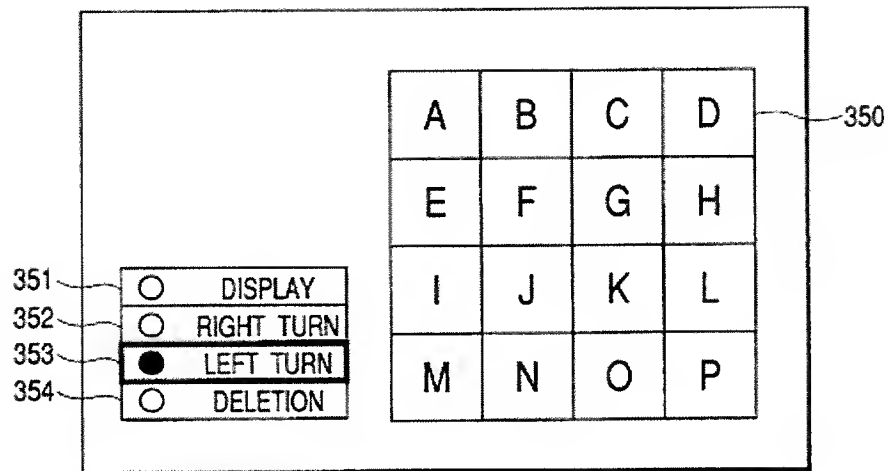
FIG. 15

PRIOR ART

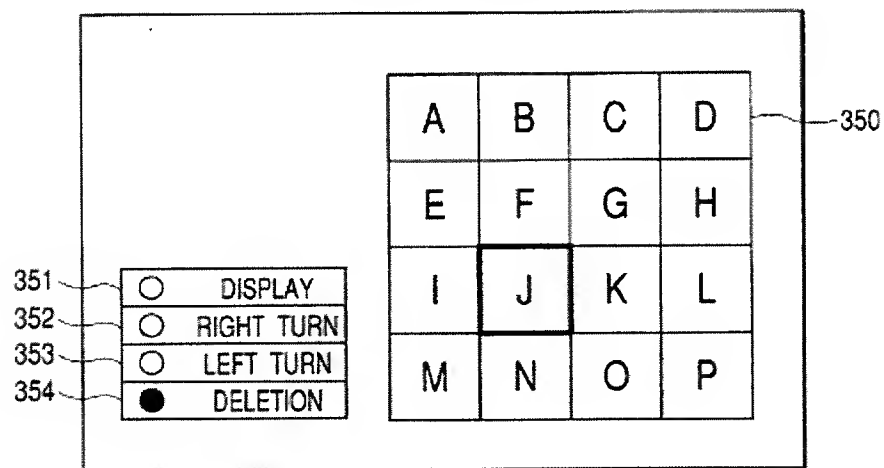
FIG. 16

PRIOR ART

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FIG. 17

PRIOR ART

FIG. 18

PRIOR ART